



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

PATRICK J. BOHRER, ET AL.

Serial No.: 09/903,721

Filed: JULY 12, 2001

Title: DATA STORAGE ON A MULTI-TIERED
DISK SYSTEM

Examiner:

Group Art Unit: 2651

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22202-1450

Dear Sir:

In accordance with the Notice of Incomplete Reply (Nonprovisional), Filing Date Granted, dated July 28, 2004, a copy of which is attached, enclosed herewith for filing are the following documents to complete the filing requirements of the above-identified application.

- ☐ Executed Declaration
- ☐ Statement Claiming Small Entity Status-(37 CFR 1.9(f) & 1.27(b)) – Independent Inventor
- ☐ Charge Deposit Account No. 09-0447 in the amount of \$___ for:

☐ \$___ Filing fee [\$385 small entity; \$770 large entity (design \$170, \$340)]

☐ \$___ Additional Claim Fees

☒ \$___ Missing Parts Surcharge

Petition for Extension of Time to reply to the Notice of Missing Parts (and fee)

☐ one month = \$110.00 ☐ three months = \$950.00

☐ two months = \$420.00 ☐ four months = \$1,480.00

☒ Other: **Replacement drawing sheets (FIGS. 1-3).**

☒ The Assistant Commissioner is hereby authorized to charge any deficiencies in fees or credit any overpayment to Deposit Account No 09-0447. A duplicate copy of this paper is enclosed.

Dated: AUGUST 12, 2004

Respectfully submitted,

CARDINAL LAW GROUP
1603 Orrington Avenue, Suite 2000
Evanston, Illinois 60201
(847) 905-7111

FRANK C. NICHOLAS
Registration No. 33,983

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22202-1450 on AUGUST 12, 2004.

AUGUST 12, 2004
Date

FRANK C. NICHOLAS (33,983)



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Attorney Docket No.	AUS920010132US1 (9000/29)
Application Number	09/903,721
Filing Date	JULY 12, 2001
First Named Inventor	PATRICK J. BOHRER
Group Art Unit	2651
Examiner	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Amendment	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Drawings: FIGS. 1-3 Replacement Sheets	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input checked="" type="checkbox"/> Post Card Receipt
<input type="checkbox"/> Petition for Extension of Time Request (dup)	<input type="checkbox"/> Petition Under MPEP 711.03(c)II	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Applicant Initiated Interview Request Form	<input checked="" type="checkbox"/> Notice of Incomplete Reply (Nonprovisional)
<input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, art	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Express Abandonment Under 37 CFR 1.138	<input type="checkbox"/>
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request of Refund	
	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.	
	<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.	

CALCULATION OF FEE

				Small Entity		or	Large Entity	
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$9=	0	x \$18=	
Indep.		Minus		0	x \$43=	0	x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=	---	+\$290=	
					total add'l fee	\$ 0	total add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	August 12, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22202-1450 on this date:		August 12, 2004
Signature	 FRANK C. NICHOLAS (33,983)	Date: August 12, 2004